JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Nursing

FILED

DEC 1 7 2012

N.J. BOARD OF NURSING

By: DAG Susan Carboni Tel. (973) 648-2894

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION : OR REVOCATION OF THE LICENSE OF :

Administrative Action

ROBIN LARKINS, R.N. LICENSE # NR 07769700

ORDER OF SUSPENSION OF LICENSE

TO PRACTICE AS A REGISTERED NURSE (R.N.) IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing (" Board") upon the receipt of information indicating the following;

1. Respondent, Robin Larkins, is the holder of License No. 26NR 07769700 and is a registered nurse in the State of New Jersey.

- 2. A consent order filed by the Board on October 1, 2010 required respondent to remain enrolled in the Professional Assistance Program of New Jersey (PAP) and to comply with program requirements. (Exhibit A)
- 3. On or about October 15, 2012, notification was sent to respondent that the Board was in receipt of credible information that respondent was not in compliance with the terms of the October 1, 2010 consent order. (Exhibit B)
- 4. On or about October 18, 2012, respondent replied to the notification, indicating that she had informed PAP that she did not want to participate in PAP any longer, and had no desire to return to work as an R.N. (Exhibit C)
- 5. The 2010 consent order provided for automatic suspension of respondent's nursing license upon receipt of reliable information indicating that respondent has violated any term of the private letter agreement. (Exhibit A, ¶11)
- 6. A certification from PAP's Executive Medical Director dated October 23, 2012 indicates that respondent has ceased participating the PAP as of June 12, 2012. (Exhibit D)

Accordingly,

IT IS on this 17th day of December, 2012

HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State

of New Jersey shall be and hereby is suspended for her violation of the October 1, 2012 consent order, pursuant to $\underline{N.J.A.C.}$ 13:45C-1.4 and $\underline{N.J.S.A.}$ 45:1-21(e).

- 2. Respondent may, under the terms of the consent order, upon notice, request a hearing on the sole issue of whether respondent has failed to comply with the terms of the 2010 consent order.
- 3. In the event that respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without respondent's demonstrating that she is in full compliance with the terms and conditions of the consent order.

NEW JERSEY STATE BOARD OF NURSING atrice Muggy PLD APA

By:

Patricia Ann Murphy, PhD, APN, C Board President

EXHIBIT

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PAULA T. DOW
ATTORNEY GENERAL OF NEW JERSEY
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Attorney for the State Board of Nursing

FILED

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N.J. BOARD OF NURSING

By: DAG Susan Carboni Tel. (973) 648-2894

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF SUSPENSION OR REVOCATION OF THE LICENSE OF

Administrative Action

ROBIN A. LARKINS, R.N. LICENSE # NR 07769700

CONSENT ORDER

TO PRACTICE NURSING IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information from respondent that she had left the Recovery and Monitoring Program of New Jersey (RAMP), and enrolled in the Professional Assistance Program (PAP). Respondent had enrolled in RAMP January of 2008 following a drug screen at her place of employment in which she tested positive for marijuana use. An evaluator supports respondent's claims that she began using marijuana for to alleviate pain associated with breast cancer. The Board has reviewed an evaluation from Dr. Lewis Baxter of PAP, indicating

that respondent has been compliant with monitoring requirements, with the exception of a single instance of use of Fioricet, a controlled substance, in October of 2008.

The Board finds that respondent's use of marijuana, an illegal substance, even though it was under extenuating circumstances, constitutes engaging in acts constituting an offense relating adversely to nursing, in violation of N.J.S.A. 45:1-21(f).

The Board finding that, inasmuch as PAP indicates that respondent is fit to practice nursing, and that monitoring by PAP and notification of respondent's employer constitute measures sufficiently protective of the public, and having determined that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown;

IT IS on this 15th day of October, 2010 HEREBY ORDERED AND AGREED that:

- Respondent may remain licensed in good standing provided that she complies with all the terms and conditions of this Order.
- 2. Respondent shall refrain from the use of any and all potentially addictive substances except as prescribed by an authorized health care practitioner who is made aware of Respondent's substance abuse history. Respondent shall report any such use to the PAP in writing within five days of receiving such

- a prescription together with the name of the prescribing health care practitioner, the name of the drug, the quantity, frequency, expected length of use and reason for its use.
- 3. Respondent shall remain enrolled in, and comply with all of the terms and conditions of, participation in the Professional Assistance Program of New Jersey (PAP) until successful completion. Respondent shall cause PAP to inform the Board in writing if respondent is non-compliant with, or is terminated from or resigns from further participation in the program together with the reason for and complete documentation of the non-compliance, termination and/or resignation.

 Notification of the Board shall be within 24 hours of determination of non-compliance, termination or resignation, or as soon thereafter as is practicable. Respondent shall provide PAP's Executive Medical Director with a complete copy of the within Order.
- 4. PAP shall provide reports on a quarterly basis to the Recovery and Monitoring Program of New Jersey (RAMP), which reports shall be sent to the attention of Joanne Cole, Executive Director, Recovery and Monitoring Program, 1479 Pennington Road, Trenton, New Jersey 08618. These reports shall indicate respondent's degree of compliance with the monitoring plan.
- 5. Respondent shall provide a release to PAP allowing PAP to provide pertinent reports, records and other information

pertaining to respondent to the Board, and to the Recovery and Monitoring Program of New Jersey (RAMP), the Board's designated monitor. Respondent's signature on this order signifies respondent's waiver of any right to confidentiality with respect to these matters, and respondent's agreement that the Board may utilize any such reports, records and other information it receives from PAP or RAMP in any proceeding regarding respondent's licensure and that the Board may release any pertinent information in its possession to PAP or RAMP.

- 6. Respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group meetings, if required by PAP. She shall attend individual counseling and psychiatric treatment until successful discharge, if required by PAP. Respondent shall not engage in the practice of nursing if so advised by PAP, and shall confine her employment and employment schedule to settings and schedules approved by PAP.
- 7. Respondent shall submit to random observed urine testing or hair testing as required by PAP. Respondent's failure to submit to testing or provide a urine or hair sample when requested shall be deemed to be a violation of the terms of this Order. All random alcohol and drug screens shall be negative for the presence of alcohol or drugs, unless the drugs detected by screening were properly taken pursuant to a valid prescription

from a health care practitioner aware of respondent's substance abuse history.

- 8. Respondent shall notify the Board, PAP and RAMP within 10 days of any change of address, or any termination, resignation or leave of absence from any place of nursing employment.
- 9. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this Order and provide them with a copy of the Order. Respondent shall ensure that each employer representative and nursing supervisor provides written notification on facility letterhead to RAMP and PAP, acknowledging receipt of a copy of the within Order and its terms.
- 10. Respondent may apply for the removal of the restrictions imposed by the within Order upon successful completion of PAP. The Board reserves the right to require respondent to appear before the Board and demonstrate her fitness to practice without further monitoring at such time. Respondent may be relieved of the restrictions imposed by this Order upon written notification by the Board.
- 11. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's license may be automatically suspended

by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding respondent was materially false. In addition, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Ann Murphy, PhD, APN

Board President

I have read and understand the within Consent Order and agree to be bound by its terms.

Robin a. Larkins, en

Consent as to form and entry:

Alexandra Garcia Dagan, Esq.

I have read the above order and agree on behalf of PAP to comply with its

Louis E. Baxter, M.D., FASAM Executive Medical Director

Professional Assistance Program

EXHIBIT



CHRIS CHRISTIE
Governor

KIM GUADAGNO

Lt. Governor

State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
PO Box 45029
Newark, NJ 07101

JEFFREY S. CHIESA
Attorney General

CHRISTOPHER S. PORRINO Director

October 15, 2012

By regular and overnight mail Ms. Robin Larkins 130 Parkertown Drive Tuckerton, NJ 08087

Re: Violation of terms of October 1, 2010 Order

Dear Ms. Larkins:

The New Jersey State Board of Nursing is in receipt of credible information advising that you are not in compliance with the terms of the October 1, 2010 Consent Order you entered into with the Board. By the terms of the order, you were required to remain enrolled in and comply with all of the terms and conditions of participation in the Professional Assistance Program of New Jersey (PAP).

The Board has been advised that you were last seen by Dr. Louis E. Baxter, Sr. of PAP on May 9, 2012, and did not appear for your next scheduled appointment. The Board has been further advised that you have had a total of only three urine screens for the entire year as of September 10, 2012, with the last screening on June 12, 2012. Moreover, Dr. Baxter indicates that PAP has been unable to contact you, and you do not respond to their telephone calls.

The consent order that you signed provides for automatic suspension of your nursing license for noncompliance. If the information the Board has received is not accurate, you are advised to forward proofs that you are in compliance with the

private letter agreement to my attention within five (5) business days. You may send it to:

D.A.G. Susan Carboni Division of Law P.O. Box 45029 124 Halsey Street, 5th Floor Newark, NJ 07101

You may also fax me at (973)648-3396. You should telephone to verify receipt. Your failure to demonstrate, via a communication from PAP, that you are in compliance with the terms of the consent order may result in the suspension of your nursing license.

Thank you for your attention.

Sincerely yours,

JEFFREY S. CHIESA ATTORNEY GENERAL OF NEW JERSEY

Susan Carboni

Deputy Attorney General

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Oct. 18, 2002

D.A.G. Susan Carboni
Division of Law
P.O. Box 45 029
124 Halsey Street, 5th floor
Newark, New Jersey 07101

Dear Ms. Carboni-

In response to your letter dated actober 15, 2012; I have informed PAP in person and via telephone that I do not want to participate in PAP programs. I have not worked as an R.N. since 5-10; I have no desire to return to work as an R.N.

Sencerely, Robin a. Lankens

Robin Larkins, R.N. 07769700 re: violation of terms of oct. 2010 order

EXHIBIT

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DEPARTMENT OF LAW AND PUBLIC SAFETY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF NURSING

CERTIFICATION OF LOUIS E. BAXTER, SR., M.D., FASAM

- I, Louis E. Bxter, Sr., M.D., FASAM, of full age, certify:
- 1. I am a licensed physician in the State of New Jersey, and employed as the Executive Medical Director and custodian of the records of the Professional Assistance Program of New Jersey (PAP), with offices at 742 Alexander Road, P.O. Box 8568, Princeton, New Jersey 08540-8568.
- 2. I have consulted the records used by PAP in the ordinary course of business and have ascertained that Robin Larkins, R.N., is a participant of PAP who is required to be seen for face-to-face follow-up meetings on a monthly basis. I last saw her in that capacity on May 9, 2012, and have has not appeared since that date for face-to-face meetings. Moreover, Ms. Larkins has only undergone a total of three urine screens for the entire year, with the last screening on June 12, 2012. Ms. Larkins has not been in contact with PAP since her June 12, 2012 urine screen and has not responded to numerous attempts on the part of PAP to contact her.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Louis E. Baxter, Sr., M.D., FASAM

Executive Medical Director

Professional Assistance Program

Of New Jersey

Dated: 10/23/12